

January 19, 2022

EDWARD J. EMMONS, CLERK

U.S. BANKRUPTCY COURT

NORTHERN DISTRICT OF CALIFORNIA

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**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
OAKLAND DIVISION**

In re

**PG&E CORPORATION AND
PACIFIC GAS AND ELECTRIC
COMPANY**

DEBTORS.

**PG&E CORPORATION AND
PACIFIC GAS AND ELECTRIC
COMPANY,**

Appellants,**v.**

**CALIFORNIA DEPARTMENT OF
HOUSING AND COMMUNITY
DEVELOPMENT**

Appellees.

District Court Case No. 21-cv-08235-HSG

Case No. 19-30088 (DM)

Chapter 11

**STIPULATION AND ORDER TO DISMISS
APPEAL**

1 Appellants PG&E Corporation (“**PG&E Corp.**”) and Pacific Gas and Electric Company (the
 2 “**Utility**”), as debtors and reorganized debtors (collectively, the “**Debtors**” or the “**Reorganized**
 3 **Debtors**”) and Appellee, the California Department of Housing and Community Development (the
 4 “**Department,**” and with the Reorganized Debtors, the “**Parties**”), respectfully submit this
 5 Stipulation To Dismiss Appeal.

6 WHEREAS, on September 14, 2021, the United States Bankruptcy Court for the Northern
 7 District of California (the “**Bankruptcy Court**”) entered the *Order Overruling Objection to Claim*
 8 *No. 56868* (the “**CDHCD Claim Order**”) [Docket No. 11253], overruling the *Reorganized Debtors’*
 9 *Ninety-Third Omnibus Objection to Claims (No Legal Liability Claims)* [Docket No. 10808] (the
 10 “**Omnibus Objection**”) with respect to the Proof of Claim No. 56868 filed by the Department.¹

11 WHEREAS, on September 27, 2021, the Reorganized Debtors filed the *Reorganized*
 12 *Debtors’ Motion for Enlargement of Time to File Notice of Appeal of Order on Claim of California*
 13 *Department of Housing and Community Development* [Dkt. No. 11332], which was approved by the
 14 Bankruptcy Court in an Order dated September 28, 2021 [Dkt. No. 11338], which extended the
 15 Parties’ time to appeal the CDHCD Claim Order to October 19, 2021.

16 WHEREAS, on October 18, 2021, the Reorganized Debtors filed the *Notice of Appeal and*
 17 *Statement of Election to Have Appeal Heard By United States District Court for the Northern*
 18 *District of California* [Dkt. No. 11442] (the “**Notice of Appeal**”), initiating the instant appeal (the
 19 “**Appeal**”).

20 WHEREAS, after the Notice of Appeal was filed, the Parties agreed to a settlement in
 21 principle, subject to final documentation and execution (the “**Settlement Agreement**”), to resolve all
 22 issues related to the Appeal.

23 WHEREAS, on November 1, 2021, the Parties entered into the *Stipulation and [Proposed]*
 24 *Order to Stay Appeal Pending Settlement* [Dist. Ct. Dkt. No. 2], which was approved by this Court in
 25
 26

27 ¹ All docket entries cited in this stipulation refer to the bankruptcy case *In re PG&E Corporation, et*
 28 *al.*, No. 19-30088 (DM) (Bankr. N.D. Cal.) (the “**Bankruptcy Case**”), unless specified otherwise.

an Order dated November 2, 2021 [Dist. Ct. Dkt. No. 3], which stayed all proceedings and deadlines in this Appeal for seventy days.

WHEREAS, the Parties have finalized and entered into the Settlement Agreement, and it is effective.

NOW THEREFORE, IT IS HEREBY STIPULATED AND AGREED, by and among the Parties, as follows:

1. The Appeal is dismissed with prejudice.
2. Each party shall bear its own costs.

STIPULATED AND AGREED TO BY:

Dated: December 6, 2021

Dated: December 6, 2021

KELLER BENVENUTTI KIM LLP

ROB BONTA

Attorney General of California

JAMEE JORDAN PATTERSON

Supervising Deputy Attorney General

/s/ Thomas B. Rupp

/s/ Erica B. Lee

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*Attorneys for the California Department of
Housing and Community Development*

ATTESTATION (CIVIL LOCAL RULE 5-1(i)(3))

In accordance with Civil Local Rule 5-1(i)(3), I attest the concurrence in the filing of this document has been obtained from the other signatories.

KELLER BENVENUTTI KIM LLP


/s/ Thomas B. Rupp

Thomas B. Rupp

* * *

PURSUANT TO STIPULATION, IT IS SO ORDERED.

DATED: December 7, 2021


HAYWOOD S. GILLIAM, JR.
United States District Judge